

To Have and to Hold —

The Role of Private Preserves in the Adirondack Park

Edward Comstock, Jr.

Most students of Adirondack history, when asked what prompted the formation of a park in the Adirondacks, point to the mandate of the 1872 State Park Commission as the first step in the twenty-year political struggle to establish the Adirondack Park. This body was charged with "inquiring into the expediency of providing for vesting in the State the title to the timbered regions lying within the [eight northern counties], and converting same into a public park." By the time the Park became a reality in 1892, the State still hoped to eventually own all of the northern forest. However, those who had a hand in the Park's design realized that the private preserves, many founded prior to 1892, were an intrinsic and highly beneficial component of the new park. In fact, during the Park's first decade the State repeatedly commended private holdings as models for government land management.

Over the last one hundred years, a major factor in the viability of these private preserves has been their commitment to responsible and judicious stewardship. Their "husbandry" has always played a constructive role, and with the Park entering its second century, the role these preserves will play

in the still-evolving public-private relationship in the Park will determine to a great extent the Adirondacks of the future. And, as the government in Albany reshapes itself, the challenges to both the private and public sectors are going to be formidable.

The intent of this paper is to touch upon some of the highlights of the history of private stewardship within the Adirondack Park. Some preserve contributions, such as the pioneering work in fishery management and scientific forestry, are an established part of the record. Yet given that these tracts are by definition privately owned and often set back from today's travel corridors, their story is not as well known or recognized as it deserves to be and, for that matter, as it was when the Park was young. It is equally important not to forget that a number of private preserves are not only committed to the future but are survivors. Some predate the Park itself and one, Brandreth Park (western Adirondacks) is just a few years shy of its sesquicentennial.

The first clear call for what remains today a private-public partnership came in 1864. A *New York Times* editorial of August 9 recommended that

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private preserves assume a major role in the future park. This commentary, which historian Frank Graham has called a "seminal document" in Adirondack history,¹ is thought to have been written by Charles Loring Brace, a man who had first-hand knowledge of the woods. (It may be no coincidence that 1864 also saw the publication of George Perkins Marsh's classic *Man and Nature*, an ecological exhortation for "contemporary man to be a steward of the earth" for future generations.) While the editorial is most often remembered for proclaiming the Adirondacks could be a "Central Park for the world," it also declared that the future depended upon private commitment: ".... let them form combinations, and, seizing upon the choicest of the Adirondack Mountains, before they are despoiled of their forests, make of them grand parks, owned in common, and thinly dotted with hunting seats, where, at little cost, they can enjoy equal amplitude and privacy of sporting, riding and driving, whenever they are able, for a few days or weeks, to seek the country in pursuit of health and pleasure."²

In other words, Brace felt "private husbandry" should play a constructive role, a sentiment which resurfaced

most recently in the report of the commission on "The Adirondack Park in the Twenty-First Century" where it was said that the Park is a "place of intermingled public and private interest requiring a common public and private stewardship."³ While organizations such as the Adirondack Mountain Club proclaim stewardship of the Forest Preserve a primary goal, stewardship of the approximately sixty percent of the Park in private hands—particularly those large open space tracts—has always been equally important.

As the Park approached a reality, Brace's sentiments were echoed by others. In 1887, for instance, the author of "Reclaiming the Adirondacks" in the progressive magazine *Outlook* recommended, as Louise Halper has pointed out, "...buying land, joining a private preserve or forming one as ways to preserve the Adirondacks."⁴ Halper rightly concluded that, as the number of clubs and preserves increased, so did the constituency for preservation, a key element in bring the Park into being.⁵ A decade later a similar opinion in an article on "sporting clubs" in *Outing* magazine declared that the preservation efforts of such organizations amounted to "a public benefit."⁶

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It is not widely recognized that private preserves in the Adirondacks, as well as elsewhere in the State, were codified in law as early as 1871. Chapter 831 of the laws of that year called for "the protection of private parks and grounds" and was intended to "encourage the propagation of fish and game." Former Adirondack Museum Director Craig Gilborn has observed this act "symbolically secures" the role of private preserves:

"While the Forest Preserve law dominates the summits of legislative protection for the Adirondacks, this important statute anticipated both open space objectives and private-public cooperation that would occur after the establishment of the Forest Preserve in 1885 and the Adirondack Park in 1892."⁷

Private preserve "objects" frequently paralleled those inherent in the establishment of the Forest Preserve and the Park. For example, the Adirondack League Club prospectus, issued at the time of its founding in 1890, noted under the heading "A Protective League," that its purpose was: "...to preserve the forests in a wild condition, for the perpetual benefit of the State; to protect the game and fish which there abound, and promote their



At the original Proctor camp, South Branch, Moose River, Adirondack League Club, 1894.

increase by importation, propagation, breeding, or hatching; to assist in strictly enforcing the forestry and game laws of the State, and to promote such legislation as will further protect the North woods from destruction, and the fish and game therein from extermination.

In an era when there was widespread concern over cut-and-run logging practices, the future integrity of the upland forested watersheds, and the often lax enforcement of game laws, such avowals were not uncommon. For example, the North Woods Club, incorporated in 1886, included as its *raison d'être* "...the preservation of game and forests." The Wilmurt Club, founded a year later in southern Hamilton County, declared its mission to work "in full harmony with the State in preserving [its] territory and [to protect] the State property adjoining...."⁸ Others such as the Adirondack Mountain Reserve (popularly known as the Ausable Club), also established in 1887 near Keene Valley, outlawed lumbering on the fragile steep slopes overlooking

the Ausable Lakes. Fishing in its waters required a permit long before the State instituted its own licensing policy and, like the Adirondack League Club, the AMR encouraged the local guides' association as a means of maintaining high standards of sportsmanship. Unlike most private holdings, it granted access to the public to cross its lands, and made clear its regulations would seem to some "unnecessarily strict," but that they were essential to the preservation of the forest.⁹ (A similar policy by William Seward Webb who granted permits to hunt and fish on certain sections of his Nehasane Park was short-lived, however, because of persistent abuses by the public.)¹⁰

The Forest Commission profiled Adirondack private preserves in its 1893 annual report¹¹ and found the tally to be 45 with total holdings of just over 940,000 acres, a figure that caused comment in the pages of *Forest and Stream*, the country's foremost sporting journal. While of the opinion that New York State had only itself to

blame for its lack of assertiveness in purchasing land in the new Park, the journal added that the preserve owners "in many cases have won a right to the esteem of the community by the disinterested way in which they have administered their great holdings."¹² The Commission report itself went further by remarking that the stewardship practiced by the preserves could only be aspired to by the State:

"The aims and objects of the various proprietors are wholly dependent on the preservation of their forests, in which respect their interests are identical with those of the State. It is evident, also, that owing to the persistent refusal of the Legislature to appropriate money for the purchase of Adirondack lands, the preservation of its forests, outside those owned by the State, is dependent largely on the existence of these private preserves."¹³

The Forest, Fish and Game Commission in its annual report of 1902-03 revisited the role of private preserves and saw that they offered additional benefits.¹⁴ While admitting it had become unrealistic to hope for the State to buy out all private holdings, the Commission report praised the preserves' "conservative and intelligent" timber management and their continued protection of fish and game. It added that these tracts also furnished "constant and lucrative" employment to guides and woodsmen, and because of vigilant and efficient "forest patrols," these lands suffered none of the fires which had ravaged State lands at the turn of the century. Still, there were some com-

protectors, particularly from those who felt inhibited from ranging as freely as they had in the earlier era of absentee ownership.

The posting of private land against trespass originated with Chapter 488 of the Laws of 1892 and said that "...upon compliance with the foregoing provisions for preventing trespassing or for devoting lands to the propagation of fish, birds and game no person shall disturb or interfere in any way with the fish or wild animals while on the premises so protected except with the consent of the owner or persons having exclusive right to shoot, hunt or fish thereon."

According to the Conservation Department in 1935, the law was aimed at protecting Adirondack preserves, yet property owners across the State immediately embraced it and continue to do so today.¹⁵

By 1921 historian Alfred Donaldson believed that "local antagonism" against posting was dying out with the generation to whom the preserves were "a restrictive innovation." At the same time, he could not help mentioning there was "lingering criticism" that the preserves had absorbed lands intended for a public playground, an opinion which even in the twenties can

only be characterized as being naively unaware of the power of market forces. There were others during the Park's first decade who felt that this issue would be framed within the context of what is known today as "the tragedy of the commons,"¹⁶ a concept familiar to *Forest and Stream* readers as early as the nineties, as this excerpt from a letter supporting private preservation efforts shows:

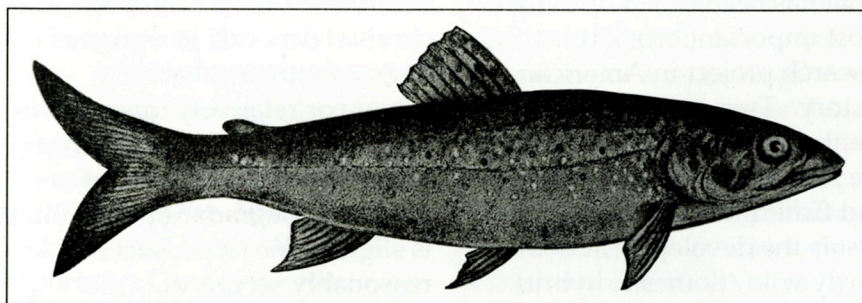
"A domain open to everyone is denuded of everything of value upon it just in proportion to the number of people that found it profitable to raid it. An area of wild or public land is denuded of its timber, its waters and of course, its fish and game just as soon as enough people have access to it."¹⁷

Concern about the overuse of the sometimes fragile Adirondack woods and waters originated in the post-Civil War years when the North Woods first experienced the impact of the "ubiquitous tourist." As surveyor Verplanck Colvin noted in 1880, these throngs were a part of "the genius of change [which] has possession of the land; we cannot control it."¹⁸ Outdoor writer Fred Mather, a contemporary of Colvin's, put it another way. He said new railroads and im-

proved wagon roads rendered the vast solitudes "...too easy of access,"¹⁹ which, because of the influx of a new breed of sportsmen, threatened the destruction of the entire region.

Arthur Masten, a member of the Tahawus Club, expressed similar concerns in the twenties. With good automobile roads (then still a revolutionary phenomenon), Masten proclaimed "no place is too remote for the tourist nor...for the poacher." As a result, the Adirondacks have become filled with many people "neither sportsmen nor forest lovers, who regard the woods much as they would Coney Island..."²⁰ It must be admitted he had a point. The evidence he cited was the State's inadequate protection of Lake Colden where the fishing was practically exhausted. Masten's chief complaint was that New York State had subordinated basic preservationist principles to recreational policies to the detriment of both private and public lands, a point which rang true in the 1960s to Park historian Roger Thompson (and does today to property owners around the Park): "The establishment of a constitutional mandate regarding the Forest Preserve, while ostensibly a move to take the Preserve "out of politics," succeeded in placing the Preserve within the politics of the recreational interest group."²¹

Today, it is apparent that "over-recreation" has become a fact of Adirondack life. Forest ecologist Edwin H. Ketchledge is among those who see the Forest Preserve threatened by hordes of people "pursuing recreational activities inconsis-



"The Bisby Trout," an illustration accompanying General R. U. Sherman's Article in *The American Angler*, October 20, 1883.

tent and incompatible with forest protection."²² While he believes the recreating public will act responsibly and limit the adverse impact on the environment, some preserve managers, seeing the demand spill over onto their properties, remain unconvinced. In this context, the familiar argument that new acquisitions to the Forest Preserve be deferred until the level of care is raised on existing State lands takes on added significance.

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From about 1890, "the right to the esteem of the community" which private preserves in the Adirondacks had earned in many quarters had, as one of its most concrete manifestations, enlightened fish and game management. When Charles Hallock, as *Forest and Stream's* first editor in 1873, railed against "fish-hogs," conservation issues received for the first time an effective national forum and they were issues that from that day on, Adirondack preserves have strongly supported.

Faced with decades of uncontrolled angling and random introductions of non-native species such as perch, bass, and pike as well as damage caused by extensive logging, it became apparent to preserve members that native trout populations were in real danger.

The Bisby Club, for example, countered this trend with a pioneering fishery science program. Founded in 1878 but with antecedents going back to the 1850s, this group built only the second fish hatchery in the Adirondacks and worked closely with Seth Green, an honorary member and the man

known as the father of American fishery science. The club's leader, General R.U. Sherman, contributed regularly to *The American Angler* in the eighties and went on to become New York State's Commissioner of Fisheries. Elsewhere Seth Green also advised the Adirondack Club (later Tahawus Club) while the Wilmurt Club and its own stocking program in place by 1890; and Litchfield Park has long supervised logging operations to prevent sawdust and debris from degrading its trout habitat. From its start in 1890, the Adirondack League Club, which merged with Bisby in 1894, shared this commitment. James R. Annin, Seth Green's successor as State Superintendent of Hatcheries, acted as an early club consultant. Later so did famous angling writer and self-taught fishery expert E. R. Hewitt.

As a science, fishery management may be said to have come of age in the second half of this century and this was exemplified at the Adirondack League Club by a cooperative agreement, formalized in 1950 between the club and Cornell University, to study and help manage ALC's fishery resources. Under the direction of Dr. Dwight Webster, the research program flourished and became what has been called the single most important brook trout research project in American history. Two notable achievements have benefited not only the ALC but fishery managers and fishermen everywhere. The first is the development of a hardy wild/domestic hybrid trout which, because of its success at the club, has been adopted by the Department of

Environmental Conservation's State-wide stocking program. The second involves research on the effects of acid deposition on Adirondack fisheries with the goal being the "designing" of an acid-tolerant trout, work which has received international recognition.

Private interests upped the research ante in 1983 when a \$100,000 gift from the Prescott Foundation (Howard and Dessie Prescott were ALC members) led to the creation of the Adirondack Fishery Research Fund which acts as an endowment for continuing support for fishery research in the Adirondacks. One of the program's management goals has been the development of an "expert system," a computer data bank which includes over four decades of profiles of waters inside and outside the ALC. With this information scientists are now much more confident about future management options.²³

In recent years the DEC has increased its efforts to save from extinction what remains of the original genetic stock of native Adirondack brook trout, a fish with "an affinity for pristine environments."²⁴ Only nine "strains" survive, five of them on private property. Known collectively as heritage strain trout, their continued survival depends to a great degree on their inhabiting private or relatively inaccessible public waters where the danger of introductions of non-native species or degradation of habitat is slight. One strain survives, reasonably secure, at Little Tupper Lake on Whitney Park, while Dwight Webster is credited with saving another at Horn

Lake, formerly a part of ALC, but the ultimate success in rescuing this cherished native species rests with the continuing private-public partnership in which preserves play a major role.

Like fishing regulations, private game laws have been traditionally more restrictive than State laws. Late in the last century, for instance, deer jacking and hounding were invariably banned first on private lands. In fact, many felt that preserves functioned as sanctuaries from which game would naturally overflow and thus stock surrounding public lands, a belief that holds true today. Others saw that hounding (banned, but far from eradicated by the State in 1897) resulted in preserves becoming refuges for deer driven from the public hunting grounds. These lands which because of the constitutional restriction banning logging were less well suited as white-tail habitat. Scientific forestry practices on private preserves opened up the forest and consequently produced more browse than mature State forests did. Even the first tentative (though ultimately unsuccessful) efforts at reintroducing extirpated species—notably moose and elk at Whitney and Litchfield Parks—were the results of private stocking initiatives.

While it remains academic when the last native Adirondack moose was killed, restoration efforts began as early as 1877 when the Adirondack Club near the Upper Works imported a Canadian cow moose with the vain hopes of producing a herd large enough to support hunting. When

Harry Radford founded his conservationist magazine *Woods and Waters* in 1898 his fervent pleas for restocking gained a larger audience, but his boast to his readers that Nehasane Park contained over one hundred of the majestic mammals seems questionable.²⁵

Today, however, the moose population in northern New York is on the rise and modern restoration efforts of other extirpated large mammals in the Adirondack Park have garnered a good deal of atten-

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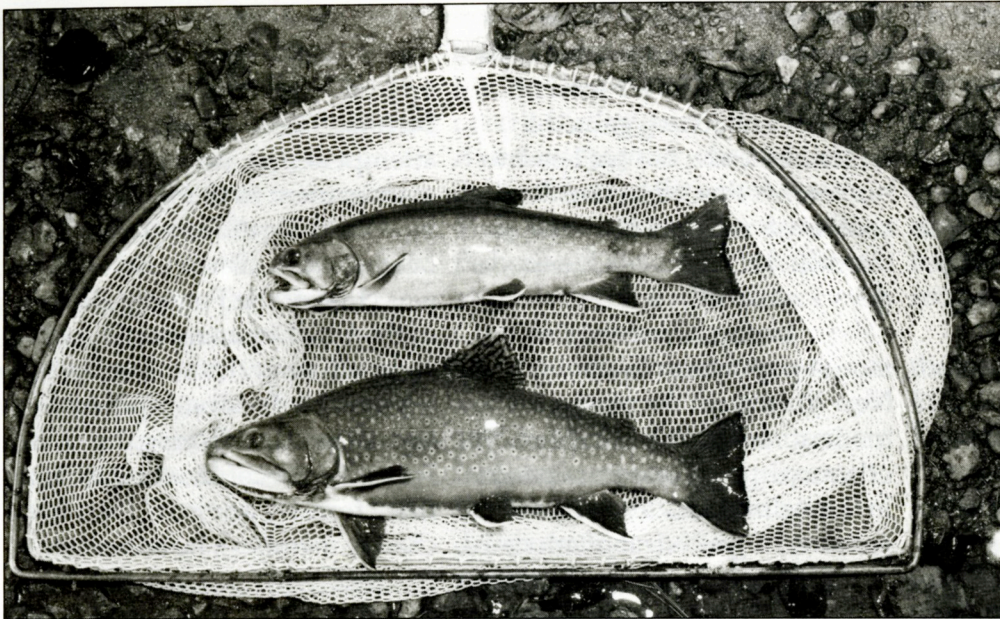
Through the plan drawn up by Prussian-born forester Bernhard Fernow, the first attempt at permanent forestry management in this country got its start at the Adirondack League Club. Fernow in 1890 was chief of the Forestry Bureau of the U.S. Department of Agriculture and had been responsible for drafting the legislation establishing the Forest Preserve. As the ALC's first "forestry advisor" (and a charter member), he submitted a



Liming reclamation of Lower Sylvan Pond, near the Bisby Lakes, Adirondack League Club, 1971

tion. Because of the "survival space" requirements of species like moose, wolf, and lynx, one wildlife biologist believes that the success of a restocking program depends upon enlisting the cooperation of large private landowners. Only by creating "core areas" combining private tracts contiguous to State Wilderness and Wild Forest lands will these reintroduced species have a good chance at survival in today's Park.²⁶

detailed plan for the Club's extensive virgin forest that would set an example for the State which he felt was "incapable of grappling with forest preservation in the Adirondacks." The club's founders also hoped the proposal—a combination of forest management and recreation—would provide a model for other landowners. It did that and more. Harvard's Charles S. Sargent called Fernow's work



*Heritage strain brook trout from Horn Lake, 1960. This lake, formerly leased to the Adirondack League Club, is Forest preserve.
(Photo courtesy Dwight Webster)*

for the club a "practical object-lesson" and the American Forestry Association hailed his plan at its annual meeting in 1890.

Others also produced vanguard work in the nineties and the innovations came mostly from experiments on private preserves. William Seward Webb convinced Gifford Pinchot to study the forest at Nehasane Park and out of his involvement came the monograph on Adirondack spruce which served for years as a pocket guide and working plan for resource management throughout the Adirondacks and the Northeast.

A study at nearby Whitney Park resulted in the classic *Practical Forestry in the Adirondacks* (1899) by Pinchot and his colleague Henry S. Graves. Litchfield Park, which also came under Pinchot's influence, in more recent times acquired its own timber company and became an early

experimenter with increasing the utilization of low-grade hardwood.

Ecologist Ketchledge believes that ongoing resource management of private lands in the Park, both by preserves and corporate holdings, benefits the entire region because timber production lands have the greatest biological diversity of forest flora and fauna "...the meld of private and public lands one sees... today is in fact a blessing, as the juxtaposition guarantees the maximum occurrence of forest communities and species in a given sector of countryside."²⁷

For the overall health of the Park, the symbiotic relationship between the private majority and public minority lands must be maintained in the future. Back in 1903, the State realized that the "owners of private holdings... can be relied upon to preserve the forest conditions that are so essential to the enjoyment of their prop-

erty." Yet, now as then, private landowners have reason to question the State's intentions.

In 1901 ALC's Judge Warren Higley organized the Association for the Protection of the Adirondacks by bringing together private preserve representatives from across the Park. As one of the group of individual property owners, Higley saw the need for a presence in Albany to monitor questions vital to their interests involving taxes, lumbering, game protection, and even, to some, the very

existence of the preserves themselves. From his perspective, such concerns were justified, in part, because the Forest Preserve Board, established in 1897, having been granted an appropriation of one million dollars to buy land to add to the Preserve, was also given the authority to condemn "...lakes, rivers, and trout streams for private and municipal purposes, lying well outside the Park."²⁸ (It should not be forgotten that the condemnation issue came back to haunt Adirondack conservationists, and the Association, in the 1940s when the Black River Regulating District proposed Panther and Higley Mountain dams to impound the waters of the south Branch of the Moose River for private purposes downstream. Only after an exhaustive eleven-year fight was the battle against the taking of Forest Preserve and private lands won.)

Today's private preserve owners understand what moti-

vated Higley to form the Association. They are now facing similar problems, the most visible being the rapidly escalating real property taxes which constitute a major threat to the viability of large tracts. To some—the Ausable Club or Bay Pond Park, for example—a conservation easement agreement with the DEC has been the way to lessen the tax burden. Others, however, remain adamant against giving up or bargaining away any property rights to the State. And there are additional concerns disturbing the waters of many preserves, good stewardship notwithstanding. Among them are such complex problems as most valuable use assessments, the need for forest tax law reform, and public access and takings issues.

As a result, the traditional low-profile management approach that has successfully sustained private stewardship for four and five generations has been forced to change.

Like their predecessors at the turn of the century, preserve owners have realized the need to organize and speak out, and one result has been the formation of the Adirondack Landowners' Association in 1990. Moderate, pragmatic, and above all, committed to the rights of responsible private property owners, the ALA now includes an impressive 300,000 member-acres and is still growing.

If the vast Adirondack Park, with all its complexities and contradictions, is to survive into the twenty-first century, no concept will prove more essential to its future than good stewardship. Private preserve

interests, it has been shown, have long had a commitment to the values inherent in the establishment of the Park itself. After all, they were an important part of that process. With that commitment, however, comes the responsibility to safeguard the Park at a time when the need for cooperation between public and private sectors has never been greater. If past events are an indication, private preserves will rise to the occasion.

ENDNOTES

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